

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STATE OF MICHIGAN, et al.,

Plaintiffs,

v.

ENBRIDGE ENERGY, LIMITED
PARTNERSHIP, et al.,

Defendants.

Case No. 1:20-cv-1142

HON. JANET T. NEFF

_____ /

ORDER

Pending before the Court are “Letters” from amicus curiae and the parties in this case (ECF Nos. 69-71). For the following reasons, the Letters are stricken.

On October 4, 2021, counsel for amicus curiae filed a Letter with the Court (ECF No. 69), opining that this Court should “hold proceedings ... in abeyance” (*id.* at PageID.958). On October 6, 2021, counsel for Plaintiffs filed a Letter with the Court (ECF No. 70), requesting that the Court “rule without delay” (*id.* at PageID.963). Yesterday, counsel for Defendants filed a Letter with the Court (ECF No. 71), indicating that it “would be appropriate to hold this case in abeyance” and further opining that this Court should “deny the State’s motion to remand” (*id.* at PageID.967).

This Court does not rule via letter requests. This Court’s Local Rule 7.1(a) requires that “all motions, except those made during a hearing or trial, shall be accompanied by a supporting brief.” W.D. Mich. LCivR 7.1(a). The rule further instructs that “[b]riefs shall not be submitted in the form of a letter to the judge.” *Id.* The formatting and scheduling for briefing nondispositive matters is governed by Rule 7.3. Last, Rule 7.1(d) requires that “all nondispositive motions shall

be accompanied by a separately filed certificate setting forth in detail the efforts of the moving party to comply with the obligation” to attempt to obtain concurrence before filing the motion. W.D. Mich. LCivR 7.1(d).

Because the letters at bar wholly fail to comply with the requirements of this Court’s Local Rules, they will be stricken. To the extent the parties in this case request relief from the Court, they must request such relief in conformance with the Rules. Amici curiae may thereafter seek leave to file a brief in support of, or in opposition to, the relief requested, with the proposed document attached as an exhibit to the motion seeking leave to file. *See* W.D. Mich. LCivR 5.7(f). Therefore:

IT IS HEREBY ORDERED that the Letters (ECF Nos. 69-71) are STRICKEN.

Dated: October 13, 2021

/s/ Janet T. Neff

JANET T. NEFF
United States District Judge